

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROBERT KOLINEK, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

WALGREEN CO., an Illinois corporation,

Defendant.

Case No. 1:13-cv-4806

Honorable Matthew F. Kennelly

**JOINT MOTION FOR EXTENSION OF
DEADLINE TO FILE MOTION FOR PRELIMINARY APPROVAL**

Plaintiff Robert Kolinek (“Plaintiff”) and Defendant Walgreen Co. (“Defendant”) (collectively, the “Parties”), pursuant to Fed. R. Civ. P. 6(b), hereby respectfully move the Court to enter an Order briefly extending the deadline for Plaintiff to move for preliminary approval of the Parties’ proposed class action settlement by seven (7) days. In support of the instant motion, the Parties state as follows:

1. By Order entered December 22, 2014, the Court granted the Parties’ request for a two-week extension of the deadline to complete confirmatory discovery and set February 17, 2015 as the deadline to file a motion for preliminary approval of the Parties’ proposed class action settlement. (Dkt. 75.)

2. Since then, the Parties have worked diligently to complete all outstanding discovery and to draft and finalize a written settlement agreement and related documents. In particular, Plaintiff propounded—and Defendant responded to—written interrogatories and requests for the production of documents, Walgreens completed its document production, and the deposition of Walgreens’ Rule 30(b)(6) designee was completed. Additionally, the Parties have

exchanged multiple drafts of a proposed written settlement agreement and its related documents, including notice documents, a claim form and proposed preliminary and final approval orders.

Finally, the Parties have interviewed and selected a settlement administrator, to administer notice to the class of the settlement.

3. Notwithstanding, the Parties would greatly benefit from a brief, seven (7) day extension of the current deadline to seek preliminary approval—through and including February 24, 2015—to complete their settlement efforts.

4. The Parties respectfully state that they are aware that the Court has already extended the requested deadline once, and they certainly do not take lightly their responsibility to finalize their settlement as quickly and efficiently as possible for presentation to the Court for review. The Parties submit that they have worked hard to follow the Court's directives, and it is with that in mind that they request just one additional week to finalize and execute a proposed written settlement agreement and submit the motion for preliminary approval. The Parties do not intend to seek any further extensions.

5. Based on the foregoing, the Parties believe that good cause exists to grant the instant motion, and the relief requested herein is not sought for any improper purpose.

WHEREFORE, Plaintiff Robert Kolinek and Defendant Walgreen Co. respectfully request that the Court enter an order (i) granting the instant motion, (ii) extending the Parties' deadline to file a motion for preliminary approval from February 17, 2014 to February 24, 2014, and (iii) awarding such other and further relief as the Court deems reasonable and just.

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Respectfully submitted,

ROBERT KOLINEK, individually and on behalf
of all others similarly situated,

Dated: February 13, 2015

By: /s/ Benjamin H. Richman
One of Plaintiff's Attorneys

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WALGREEN CO.,

Dated: February 13, 2015

By: /s/ Bradley J. Andreozzi
One of Defendant's Attorneys

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CERTIFICATE OF SERVICE

I, Benjamin H. Richman, an attorney, hereby certify that on February 13, 2015, I caused to be served the above and foregoing ***Joint Motion for Extension of Deadline to File Motion for Preliminary Approval*** by causing a true and accurate copy of such paper to be filed and served on all counsel of record via the court's CM/ECF electronic filing system, on this the 13th day of February, 2015.

/s/ Benjamin H. Richman